

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A damper assembly for a gas hot water heater comprising:  
a drive unit, the drive unit including a pressure diaphragm and a rack,  
an axle having a pinion, said pinion engaging the rack; ~~and~~,  
a damper, said damper being coupled to the axle wherein said damper has a first position  
and a second position; and  
a detector for sensing the position of said damper.
2. (Original) The assembly of claim 1 wherein said pressure diaphragm is a bellows.
3. (Currently Amended) The assembly of claim 1 wherein said diaphragm has a first diaphragm position and a second diaphragm position, wherein when said diaphragm is in said first diaphragm position, said damper is rotated to a said first position and when said diaphragm is in a said second diaphragm position, said damper is rotated to a said second position
4. (Original) The assembly of claim 1 wherein said damper is mounted to said axle at a non-central pivot point.
5. (Original) The assembly of claim 1 wherein said damper is generally circular.
6. – 10. (Withdrawn)